

## Agenda

### Administrative rules review committee

The Administrative Rules Review Committee will hold its regular, statutory meeting on Friday, March 6, 2009, at 8 a.m. in Room 116, State Capitol, Des Moines, Iowa. The following rules will be reviewed:

#### AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

Administration—updates to department structure, amendments to ch 1 Filed Emergency **ARC 7587B** ..... 2/25/09  
Pesticides—aerial applicators and aerial applicator consultants, 45.1(1), 45.22(17) Filed Emergency After Notice **ARC 7556B** .... 2/11/09  
Pesticides—timing of application near registered apiaries, record keeping, 45.26(3)“i,” 45.31  
Filed Emergency After Notice **ARC 7572B** ..... 2/11/09  
Electronic warehouse receipts and credit-sale contracts, amendments to chs 90, 91 Filed **ARC 7553B** ..... 2/11/09

#### ARCHITECTURAL EXAMINING BOARD[193B]

Professional Licensing and Regulation Bureau[193]

COMMERCE DEPARTMENT[181]“umbrella”

Application by reciprocity, 2.2 Notice of Termination **ARC 7543B** ..... 2/11/09  
Application by reciprocity, 2.2 Notice **ARC 7545B** ..... 2/11/09

#### COLLEGE STUDENT AID COMMISSION[283]

EDUCATION DEPARTMENT[281]“umbrella”

All Iowa opportunity foster care grant program—definition of “Iowa resident,” 9.2 Notice **ARC 7574B** ..... 2/11/09

#### CORRECTIONS DEPARTMENT[201]

General administration; personnel; supervision under interstate compact, rescind chs 4, 6, 46 Notice **ARC 7560B** ..... 2/11/09

#### CULTURAL AFFAIRS DEPARTMENT[221]

Iowa community cultural grants program—applicant eligibility, 6.3 Notice **ARC 7589B** ..... 2/25/09

#### DENTAL BOARD[650]

PUBLIC HEALTH DEPARTMENT[641]“umbrella”

Placement of provisional appliances by dental hygienists, 10.3, 10.5(3)“b” Notice **ARC 7568B** ..... 2/11/09  
Public health supervision—interval for dental examination, 10.5(3)“a”(3) Notice **ARC 7555B** ..... 2/11/09  
Dental and dental hygiene examinations, 11.5(2)“e,” 12.3, 12.4 Notice **ARC 7567B** ..... 2/11/09  
Appeal procedure for denial of licensure and registration, 11.10, 20.8 Notice **ARC 7575B** ..... 2/11/09

#### ECONOMIC DEVELOPMENT, IOWA DEPARTMENT OF[261]

Waiver of wage and nonstatutory program requirements under certain limited conditions, 68.2(6), 68.4(7)“a”(1),  
174.4, 175.4 Filed **ARC 7557B** ..... 2/11/09  
Targeted jobs withholding tax credit program, 71.1 to 71.6 Filed **ARC 7561B** ..... 2/11/09  
Small business disaster recovery financial assistance program, ch 78 Filed **ARC 7558B** ..... 2/11/09

#### EDUCATIONAL EXAMINERS BOARD[282]

EDUCATION DEPARTMENT[281]“umbrella”

NCATE-accredited programs, 13.19 Notice **ARC 7600B** ..... 2/25/09

#### ELDER AFFAIRS DEPARTMENT[321]

Iowa family caregiver support program, ch 14 Filed **ARC 7599B** ..... 2/25/09

#### ENERGY INDEPENDENCE, OFFICE OF[350]

Electronic recording of proceedings; funds for administrative costs; confidentiality, 3.3(2)“c,” 4.4(3), 4.9 to 4.11  
Notice **ARC 7573B** ..... 2/11/09

#### ENGINEERING AND LAND SURVEYING EXAMINING BOARD[193C]

Professional Licensing and Regulation Bureau[193]

COMMERCE DEPARTMENT[181]“umbrella”

Monument placement standards for land surveyors, 11.2, 11.7 Notice of Termination **ARC 7542B** ..... 2/11/09

#### ENVIRONMENTAL PROTECTION COMMISSION[567]

NATURAL RESOURCES DEPARTMENT[561]“umbrella”

Air quality, 22.1(2)“r,” 22.8(1), 23.1 Filed **ARC 7565B** ..... 2/11/09  
Private sewage disposal systems, 64.15(4), ch 69 Filed **ARC 7569B** ..... 2/11/09  
Animal feeding operations—surface application of manure on frozen or snow-covered ground, 65.1, 65.3,  
65.17(3)“e,” 65.100, 65.101, 65.112(8) Notice **ARC 7570B** ..... 2/11/09

Animal feeding operations—update of references, 65.1, 65.3(3), 65.17(6), 65.100, 65.101(6), 65.104(7), 65.105(3),  
65.112 Notice **ARC 7564B** ..... 2/11/09

#### **HISTORICAL DIVISION[223]**

CULTURAL AFFAIRS DEPARTMENT[221]“umbrella”

Historical resource development program funding policies, 49.2, 49.3 Filed **ARC 7583B** ..... 2/25/09

#### **HOMELAND SECURITY AND EMERGENCY MANAGEMENT DIVISION[605]**

PUBLIC DEFENSE DEPARTMENT[601]“umbrella”

Community disaster grants, ch 13 Notice **ARC 7581B**, also Filed Emergency **ARC 7580B** ..... 2/25/09

#### **HUMAN SERVICES DEPARTMENT[441]**

Applicant’s/participant’s responsibility to provide information or verification to department, 40.24, 40.27, 76.2,

76.7, 170.5 Notice **ARC 7590B** ..... 2/25/09

Temporary measures related to disasters, 58.41 to 58.45 Filed **ARC 7577B** ..... 2/25/09

Assignment of rights to medical payments from third parties, 75.2(2), 75.2(4) Filed **ARC 7546B** ..... 2/11/09

State-funded family planning program, 76.1(2)“d,” ch 87 Filed Emergency After Notice **ARC 7544B** ..... 2/11/09

Medicaid—health care data match program, payment from other sources, 76.13, 80.3, 80.5(2) Filed **ARC 7547B** ..... 2/11/09

Supplemental rebates for diabetic supplies, 78.6, 78.9, 78.10, 78.28 Filed **ARC 7548B** ..... 2/11/09

In-home health related care, 177.4(5), 177.6(3), 177.11(1) Filed **ARC 7549B** ..... 2/11/09

#### **IOWA FINANCE AUTHORITY[265]**

Supplemental cap allocation for 2008, 8.11 Filed **ARC 7579B** ..... 2/25/09

#### **IOWA PUBLIC EMPLOYEES’ RETIREMENT SYSTEM[495]**

Contribution rates for special service members, 4.6 Filed **ARC 7591B** ..... 2/25/09

#### **LABOR SERVICES DIVISION[875]**

WORKFORCE DEVELOPMENT DEPARTMENT[871]“umbrella”

Federal occupational safety and health regulations—adoption by reference, 10.20, 26.1 Notice **ARC 7541B** ..... 2/11/09

#### **LIBRARIES AND INFORMATION SERVICES DIVISION[286]**

EDUCATION DEPARTMENT[281]“umbrella”

Waivers or variances from administrative rules, ch 10 Filed **ARC 7596B** ..... 2/25/09

Declaratory orders, ch 11 Filed **ARC 7597B** ..... 2/25/09

Petitions for rule making, ch 12 Filed **ARC 7598B** ..... 2/25/09

#### **NATURAL RESOURCES DEPARTMENT[561]**

Septic tank time-of-transfer requirements; exemption for electronics tower and wind turbine leases, 9.1(4)“a,”

9.2(1) Filed **ARC 7588B** ..... 2/25/09

#### **PROFESSIONAL LICENSURE DIVISION[645]**

PUBLIC HEALTH DEPARTMENT[641]“umbrella”

Election of officers; competency examination or alcohol or drug screening, 4.3(2), 4.15 Filed **ARC 7586B** ..... 2/25/09

Board of barbering, rescind chs 20, 26; amend chs 21 to 25 Filed **ARC 7578B** ..... 2/25/09

Board of nursing home administrators, rescind chs 140, 145; amend chs 141, 143, 144 Filed **ARC 7576B** ..... 2/11/09

Board of podiatry—residency programs, 220.2(11), 220.7(3) Notice of Termination **ARC 7552B** ..... 2/11/09

#### **PUBLIC HEALTH DEPARTMENT[641]**

Out-of-hospital do-not-resuscitate orders, ch 142, appendix A Filed **ARC 7550B** ..... 2/11/09

Maintenance of AED device, 143.10 to 143.12 Filed **ARC 7551B** ..... 2/11/09

#### **PUBLIC SAFETY DEPARTMENT[661]**

Ignition interlock devices, rescind ch 7; adopt ch 158 Notice **ARC 7566B** ..... 2/11/09

Public records and fair information practices, rescind ch 25; adopt ch 80 Filed **ARC 7562B** ..... 2/11/09

Closed circuit surveillance systems, 141.1 to 141.3, 141.5(9), 141.6(9), 141.10 Notice **ARC 7563B** ..... 2/11/09

#### **RACING AND GAMING COMMISSION[491]**

INSPECTIONS AND APPEALS DEPARTMENT[481]“umbrella”

Harness racing; thoroughbred and quarter horse racing; gambling games, 9.7(1)“d”(3), 10.5, 10.6(2), 10.7(1)“d”(3),

11.1, 11.12(8)“a” Notice **ARC 7554B** ..... 2/11/09

## REAL ESTATE APPRAISER EXAMINING BOARD[193F]

Professional Licensing and Regulation Bureau[193]  
COMMERCE DEPARTMENT[181]"umbrella"

Certification of residential and general real property appraisers, amend chs 1, 3, 4, 11, 12; adopt chs 5, 6; rescind  
chs 13, 14 Notice **ARC 7595B** ..... 2/25/09

## REAL ESTATE COMMISSION[193E]

Professional Licensing and Regulation Bureau[193]  
COMMERCE DEPARTMENT[181]"umbrella"

Trust accounts—tax identification number and depository address, 13.1(2) Filed **ARC 7559B** ..... 2/11/09

## REVENUE DEPARTMENT[701]

General cleanup, amend chs 71 to 75, 79, 80, 120, 123, 124; rescind ch 78 Notice **ARC 7592B** ..... 2/25/09  
Tax stamp for unprocessed marijuana plants, 91.2, 91.3 Notice **ARC 7593B** ..... 2/25/09

## SOIL CONSERVATION DIVISION[27]

AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]"umbrella"

Summer construction incentives funding, 10.41(5), 10.60(2) Notice **ARC 7594B** ..... 2/25/09

## UTILITIES DIVISION[199]

COMMERCE DEPARTMENT[181]"umbrella"

Natural gas and electric plant additions, gas distribution main extensions, and electric line extensions, 19.3(10),  
20.3(13) Filed **ARC 7584B** ..... 2/25/09  
Notification rules for natural gas and electric utilities and electric transmission companies, 19.17, 20.19 Notice **ARC 7585B** ..... 2/25/09

## ADMINISTRATIVE RULES REVIEW COMMITTEE MEMBERS

Regular, statutory meetings are held the second Tuesday of each month at the seat of government as provided in Iowa Code section 17A.8. A special meeting may be called by the Chair at any place in the state and at any time.

**EDITOR'S NOTE: Terms ending April 30, 2011.**

Senator Merlin Bartz  
2081 410th Street  
Grafton, Iowa 50440

Senator Thomas Courtney  
2200 Summer Street  
Burlington, Iowa 52601

Senator Wally Horn  
101 Stoney Point Road, SW  
Cedar Rapids, Iowa 52404

Senator John P. Kibbie  
P.O. Box 190  
Emmetsburg, Iowa 50536

Senator James Seymour  
901 White Street  
Woodbine, Iowa 51579

Joseph A. Royce  
**Legal Counsel**  
Capitol  
Des Moines, Iowa 50319  
Telephone (515)281-3084  
Fax (515)281-8451

Representative Marcella R. Frevert  
P.O. Box 324  
Emmetsburg, Iowa 50536

Representative David Heaton  
510 East Washington  
Mt. Pleasant, Iowa 52641

Representative Tyler Olson  
P.O. Box 2389  
Cedar Rapids, Iowa 52406

Representative Nathan Reichert  
1155 Iowa Avenue  
Muscatine, Iowa 52761

Representative Linda Upmeyer  
2175 Pine Avenue  
Garner, Iowa 50438

James Larew  
**Administrative Rules Coordinator**  
Governor's Ex Officio Representative  
Capitol, Room 11  
Des Moines, Iowa 50319  
Telephone (515)281-0208